

Notice of Allowability

Application No.

10/062,834

Applicant(s)

IKAI ET AL.

Examiner

Art Unit

Jorge L Ortiz-Criado

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/31/2002.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 31 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 01/2002, 05/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with James Folkerr on 11/12/2004.
3. The application has been amended as follows:
 - a. In the claims:
 - i. In claim 1, line 3 of the claim; "formed tracks", has been replaced by "formed of tracks"
 - ii. In claim 1, line 14 of the claim; "said learning result", has been replaced by "a learning result"
 - iii. In claim 10, line 3 of the claim; "tracks", has been replaced by "of tracks".
 - iv. In claim 10, line 14 of the claim; "said learning result" has been replaced by "a learning result".

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- v. In claim 19, line 3 of the claim; “formed tracks”, has been replaced by “formed of tracks”
- vi. In claim 19, line 8 of the claim; the word “up” has been deleted.
- vii. In claim 19, line 18 of the claim; “said learning result” has been replaced by “a learning result”.

Allowable Subject Matter

- 1. Claims 1-20 allowed.
- 2. The following is an examiner’s statement of reasons for allowance:

The prior art made of record (JP 05-258383, J.P. 2000-339729), teaches a track servo controller and method for following an optical beam to a track of an optical storage medium that is formed tracks comprised of a plurality of sectors having ID parts shaped as a relief structure; observing a positional error of the optical beam from said track by a reflected light from said optical storage medium, controlling an actuator for moving said optical beam by a feedback control system according to said observed positional error, inputting a signal based on said observed positional error and learning a signal waveform **synchronizing with the period of disturbance noise signals** and inputting the learning result to said feedback control system and controlling the vibration of said actuator by periodic noise synchronizing with the periodic disturbances.

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Applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest either alone or in combination learning a signal waveform **synchronizing with the period of said ID parts**; and a step of inputting the learning result to said feedback control system and specifically **controlling the vibration of said actuator by periodic noise synchronizing with the period of said ID parts**, wherein said learning step comprises a step of subtracting the learning result from the learning input and learning the learning signal after subtraction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L Ortiz-Criado whose telephone number is (703) 305-8323. The examiner can normally be reached on Mon.-Thu.(8:30 am - 6:00 pm), Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris H To can be reached on (703) 305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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DAVID OMETZ
PRIMARY EXAMINER
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